

Benjamin Ogle, as executor, made payments to her guardian, and to her on account of her share of the personal estate of the testatrix, and that other moneys, parcel of the proceeds of the real estate, were likewise paid out of the Court of Chancery to her guardian. All these payments she insists were rightly made. She admits that she has received from her guardian a large sum of money. She settled with him without examining strictly into the state of his accounts, and her religious avocations since that time, (she being a nun professed,) have left her neither time nor inclination to ravel into accounts which she has always believed were settled rightly by her guardian. She denies her liability to account for or restore any part of the moneys which she has received. She avers that a considerable part of the profits of the estate have been applied to the maintenance and education of Mrs. Conner and her children, the complainants, and that said profits have been adequate to sustain the said children as comfortably and as creditable in every respect as the other children have been sustained, so that the said Conners have no cause to complain on this ground of the application of any part of the funds. She denies that she is accountable for the interest or profits received on the fund distributed to her since said fund, if not rightfully distributed, was at least distributed under an impression and conviction entertained by all parties that it was so distributable, and the same has been used and employed by her as her own, and the profits expended by her under a conviction that they were her own absolute right.

William C. Ogle, by his answer, admits that in December, 1834, he intermarried with Mary R. Bevans, and that she died in the the following year intestate and without issue. He admits that his deceased wife in her lifetime did receive from her guardian or some other person as her part of the trust estate eighty-seven shares of the stock of the Farmers Bank of Maryland, and took for the residue a note from the executor, amounting to about \$900. But he denies that he is responsible for said sum of money or property in any manner whatever. He insists that the estate was rightfully distributed by courts of competent authority, and that the claims of the complainants, if they ever had any against him, are barred by limitations.